

**Commonwealth of Massachusetts
Executive Office of Public Safety and Security
Office of Grants and Research
Highway Safety Division
10 Park Plaza, Suite 3720
Boston, MA 02116**

**New Availability of Grant Funds (AGF)
FFY 2013-2017 Traffic Enforcement Grant Program
Open Enrollment Application**

The Executive Office of Public Safety and Security, Highway Safety Division (EOPSS/HSD) announces the availability of grant funding in federal fiscal years 2013-2017 for eligible municipal law enforcement agencies for high-visibility enforcement during *Click It or Ticket* (CIOT) and *Drive Sober or Get Pulled Over* (DSGPO) Mobilizations. This will be an open, rolling enrollment and eligible departments can be added at any time during the grant years. No department may begin enforcement efforts until a contract has been signed by the department and EOPSS, and the department receives official notification from EOPSS/HSD. No costs incurred before the department receives written notification will be reimbursed.

This funding will be part of an open contract for a five-year period. Contracts awarded under this AGF will be for the period of approximately December 2012 through September 30, 2017. This application shall serve as your initial contract for the five-year period and the application for the specific FFY 2013 grant period. For subsequent grant years (FFY 2014-2017) departments will be required to submit a separate application for grant funding on a yearly basis or as EOPSS/HSD funding opportunities are announced.

Anticipated funding for FFY 2013 is \$780,000. Funding levels will be updated in advance of each FFY, pending availability of federal funds.

To be eligible for FFY 2013 grant funding, departments must meet certain traffic or crime and performance-based criteria. This AGF Narrative and the Grant Application are posted on www.mass.gov/highwaysafety under the FFY 2013-2017 Traffic Enforcement Grant Program. Eligibility may vary year to year. Departments eligible for funding will be posted on this site each year.

Questions about the application and technical assistance can be directed to Deb Firlit at Deborah.Firlit@state.ma.us or 617.725.3356.

Grant awards will be announced as applications and supporting documentation are received and approved by EOPSS.

OVERVIEW OF THE PROBLEM

According to the National Highway Traffic Safety Administration, traffic enforcement conducted in conjunction with earned and paid media during a series of two to three week mobilization periods is highly effective in raising safety belt use across the nation.

The purpose of high-visibility patrols and sobriety checkpoints is to provide maximum visibility to drivers by law enforcement officials for deterrent purposes, and to take immediate appropriate action on all motor vehicle offenses observed. These patrols have proven to be a cost effective use of manpower and, by maximizing the number of driver contacts, serves as a means of preventing motor vehicle crashes, fatalities and injuries, and raising seatbelt use.

Between 2002 and 2012, law enforcement agencies were awarded grants to participate in CIOT, and impaired driving high-visibility mobilizations. The results have been positive, but your help is needed to reduce speeding and impaired driving, and to increase safety belt use. In Massachusetts, the safety belt use rate was 51% in 2002. Through the hard work of local police departments and the Massachusetts State Police, that rate has jumped by 22 points to 73% in 2012. There has also been a 35% decrease in the number of fatalities involving a driver or motorcyclist operating with a Blood Alcohol Concentration (BAC) of at least .08 from 2002 (178) to 2010 (115).

GRANT PROGRAM DETAILS

High-Visibility Patrols

- Grant funded enforcement must occur only during the mobilization periods.
- Patrols for the two Impaired Driving Mobilizations should be scheduled between 2:00pm and 7:00am Thursday through Sunday. Data show these are the days and times when most impaired driving crashes occur.
- Departments may conduct overtime activity for the Impaired Driving Mobilizations any day of the week, with more than 50% conducted between Thursday and Sunday, and any time of the day to target impaired driving, lack of safety belt use, speeding, distracted driving and other risk-taking behaviors (i.e., non-compliance with the Move Over Law).
- Departments may conduct activity for the one CIOT Mobilization during any day of the week and at any time of day.
- Patrols by each officer under this grant must be no less than two hours and no greater than eight hours in length and devoted solely to traffic enforcement activities.
- Officers funded during this grant shall be dedicated in total to traffic law enforcement, except in the case of a criminal offense committed in the officer's presence, in the case of response to an officer in distress, or in the case of a riot where all available personnel must be committed.
- If an officer makes an arrest during the shift, but does not complete the arrest before the shift is scheduled to end, the officer can continue working under the grant to

complete that arrest. Requests for reimbursements must not exceed mobilization budget per department.

- Full-time officers will be reimbursed at an overtime rate of pay as established by the department and/or municipality for hours worked during the mobilizations. Holiday rates of pay may be used, if applicable. Part-time or auxiliary officers will be reimbursed at their normal rate of pay.
- To maximize grant funding, patrols must consist of one officer per cruiser; however, multiple cruisers may be out at one time.
- The use of part-time or auxiliary officers who have attended an approved Municipal Police Training Committee (MPTC) Reserve/Intermittent academy is allowed. Part-time officers on EOPSS/HSD-funded initiatives must be under the supervision or control of a full-time command officer.
- Departments are strongly encouraged, but not required, to participate in all mobilizations during the grant year. However, due to staffing shortages or scheduling conflicts, departments may opt to participate in fewer mobilizations. Departments must notify Deb Firlit via email at deborah.firlit@state.ma.us of the decision not to participate in a particular mobilization for which they have received funding. A copy of the correspondence will be added to the department's program file.
- Departments are strongly encouraged to participate in the May CIOT Mobilization. This mobilization will precede the annual statewide Safety Belt Survey.
- Departments are required to conduct a minimum of three documented stops/documentated contacts per hour; if fewer, EOPSS/HSD reserves the right to end program participation for the next mobilization or for the remainder of the federal fiscal year. Documented stops/documentated contacts are defined as any grant-funded patrol officer contact with motorists during the high-visibility traffic enforcement mobilization periods that can be supported by written or electronic records maintained at the police department. These records must be maintained in a manner that guarantees their accountability during a review or audit.
- Non-participation or non-compliance with performance measures may result in contact suspension, termination and/or non-reimbursement of mobilization expenses.
- Based on the availability of federal funds, EOPSS/HSD may increase funding and/or the number of high-visibility mobilizations based on established criteria and performance measures.

Sobriety Checkpoint Funding

- Departments will be considered for participation in EOPSS/HSD State Police/Local Partnership Sobriety Checkpoint Program utilizing the Breath Alcohol Test Mobile units, when available. Selected departments will be notified and will partner with the Massachusetts State Police. Sobriety checkpoints will only be funded using DSOGPO mobilization funds during the DSOGPO time frame.
- A sobriety checkpoint must have prior EOPSS/HSD approval and a department plan in place. EOPSS/HSD will allow departments to increase the number of hours beyond the eight-hour block and the number of personnel assigned to conduct sobriety checkpoints during DSGPO Mobilizations. However, actual hours worked cannot exceed the total award money for the mobilization. Participation in Sobriety Checkpoints will only be funded using existing DSOGPO funds.

- If approved to use a mobilization's funding for a Sobriety Checkpoint, a department must agree to conduct high-visibility enforcement during that mobilization as In-Kind.

Safety Belt Policy

- Departments must establish and enforce a written safety belt policy which must be submitted with your application. A copy of the International Association of Chiefs of Police recommended policy is located at www.mass.gov/highwaysafety.
- Departments without a written and enforced safety belt policy may apply for grant funding, but awards will be reduced by 50%.
- Departments are encouraged to submit a voluntary signed Zero Tolerance policy for enforcement during all the mobilizations. The form and a sample policy are located at www.mass.gov/highwaysafety.

Supplanting

- Supplanting of funds is prohibited. Funds for programs and services provided through this grant are intended to supplement, not supplant, other state or local funding sources.

Training

- Officers working grant-funded patrols should be certified in Radar or LiDAR speed measurement devices.
- Officers working patrols during DSGPO Mobilizations should be certified in Standardized Field Sobriety Testing (SFST).
- EOPSS/HSD will provide specialized Speed Measurement and SFST classes through the MPTC. Refer to the MPTC website at www.mass.gov/mptc for scheduled Specialized Highway Safety Course Schedules.

Statewide Goals and Performance Measures

All departments must help achieve the overall statewide goals of this program as stated in the FFY 2013 Highway Safety Performance Plan. Related FFY 2013 goals are listed below, though goals will be updated each year.

- To reduce the rolling five-year average (2006-2010) of motor vehicle-related fatalities from 383 by five percent to no more than 364 (2009-2013)
- To reduce the rolling five-year average (2006-2010) of serious traffic injuries from 3,993 by five percent to no more than 3,793 (2009-2013)
- To reduce the rolling five-year average (2006-2010) of fatalities per 100 M Vehicle Miles Traveled (VMT) by 5 percent from 0.70 to no more than 0.67 in (2009-2013)
- To reduce the rolling five-year average (2006-2010) of rural fatalities per 100 M VMT by 5 percent from 0.83 to no more than 0.79 in (2009-2013)
- To reduce the rolling five-year average (2006-2010) of urban fatalities per 100 M VMT by 5 percent from 0.67 to no more than 0.64 in (2009-2013)
- To reduce the rolling five-year average (2006-2010) of alcohol-impaired fatalities (with BAC of 0.08 or greater) from 151 by five percent to no more than 145 (2009-2013)

- To maintain the number of OUI arrests made during comparable grant-funded mobilizations in FFY 2012
- To increase by two percentage points the statewide observed safety belt use of front seat outboard occupants in passenger vehicles, from 73 percent in 2012 to 75 percent in 2013
- To reduce the rolling five-year average (2007-2011) of unrestrained passenger vehicle occupant fatalities, in all seat positions, from 127 by 5 percent to no more than 121 (2009-2013)
- To maintain the number of seat belt citations during comparable grant-funded mobilizations in FFY 2012
- To reduce the rolling five-year average (2007-2011) of speed-related fatalities from 107 by five percent to no more than 102 (2009-2013)
- To maintain the number of speeding citations during comparable grant-funded mobilizations in FFY 2012

Nothing in this grant shall be interpreted as a requirement, formal or informal, that a law enforcement officer issue a specified or predetermined number of citations in pursuance of the department's obligation associated with the grant.

Public Outreach

- Advance public notification and follow-up of enforcement activity is required. EOPSS/HSD will provide sample news releases for department use. Newspaper clippings generated by department press releases and reports of local radio and TV coverage should be included with grant reports as well as posted on department/community websites and in annual reports.
- All public communications and/or news releases concerning any grant activity shall indicate that the project is funded by EOPSS.

BUDGET DETAILS

- The High-Visibility Traffic Enforcement Grant is for overtime enforcement only during the approved mobilization periods.
- This is a cost reimbursement grant program. Be sure to notify your Treasurer's Office so your reimbursement does not go into the General Fund.
- Departments will be reimbursed for actual hours worked during a mobilization.
- Funding for this grant program is subject to the continuing availability of federal funds.
- Grant funds will only be awarded to eligible municipal police departments (list is available on the application). The amount of each grant awarded will be determined by the number of qualified applicants, available funding, and population in each community. Funding amounts may change each fiscal year.
- No funds will be provided for indirect costs associated with the grants.
- Non-participation or non-compliance with performance measures may result in contract suspension, termination or non-reimbursement of mobilization expenses or equipment purchases.

- This grant must not be used to pay for any supervisor time. Command staff may participate in enforcement details if conducting traffic enforcement. Supervisor time associated with EOPSS/HSD authorized sobriety checkpoints will be allowed.
- Funds will initially be available for one CIOT and two DSGPO Mobilizations per year. If EOPSS/HSD receives additional federal funds, more mobilizations or more funding per mobilization may be added.
- The Catalog of Federal Domestic Assistance (CFDA) for this grant is #20.600.

Reporting and Record Keeping

- Expenditure, activity and in-kind match reports must be submitted after each mobilization period, no later than the required dates provided by the HSD (typically two weeks after the end of the mobilization). All reporting forms will be made available to departments in hard-copy form and at www.mass.gov/highwaysafety. A signed original and one copy must be submitted to HSD by mail. Electronic signatures or fax copies of these reports will not be accepted.
- The Expenditure and In-Kind Reports must be signed and dated, in ink, by the Chief or another Authorized Signatory. Individuals working the mobilization may not sign off on the Expenditure Report. If the Chief works the mobilization, a town official must sign off on the Expenditure Report. In addition, the Chief may not sign off on the Expenditure Report if his/her spouse, child or sibling works the same mobilization.
- Failure to comply with reporting requirements may result in non-reimbursement of funds or suspension of grant award.
- With 48 hours notice, a site visit may be conducted of grant records at departments.
- Departments should keep on file copies of citations, officers' time schedules written under this grant program, and all other pertinent information.
- Unspent grant funds from one mobilization cannot be "rolled over" to a future mobilization.
- All grantees must comply with the Federal Funding Accountability and Transparency Act as will be further instructed by EOPSS/HSD.
- In addition to the requirements set forth above, grantees will be required to agree to and abide by all state and federal rules, regulations, and conditions pertaining to the receipt, administration, and management of federal funding.
- No department may begin enforcement efforts until a contract has been signed by the department and EOPSS, and the department **receives official notification from EOPSS/HSD**. No costs incurred before the department receives written notification will be reimbursed. There will be no exceptions.

Required In-Kind Match

- Departments are required to provide an in-kind (Soft Match) at least equal to or no less than 25% of their grant award.
- The in-kind or match expenditures committed for each funded project cannot be derived from other federal funds.
- Departments are required to submit a signed in-kind report with all mobilization activity and expenditure reports. Failure to submit an in-kind report will result in delay or non-reimbursement.

- Projected in-kind contributions by item and dollar amount must be included on the application. In-kind contributions can include estimated administrative costs and operational expenses that can be incurred by the department during the administration or performance of the grant. Examples may include but are not limited to:
 - Supplemented traffic enforcement for officers and/or supervisors
 - Fringe benefits and indirect costs for officers and/or supervisors
 - Materials, supplies, postage, project related telephone calls
 - Officer court time
 - Transportation/mileage for project meetings and associated trainings
 - Department webpage development
 - Preparation of financial reports for reimbursement
 - Preparation of activity reports
 - Educational sessions, specialized and roll call training costs
 - Department time for community presentations
 - Maintenance to cruisers and equipment
 - Supervisory time
 - Officer time to conduct safety belt educational initiatives
 - Printing of any community-based public information materials and incentives

Applicants must insure that their in-kind or match is identified in a manner that guarantees its accountability during an audit. Reporting on in-kind match will also be required as part of grant reporting and compliance.

Other Post-Award Requirements

- In accordance with civil rights laws and regulations, all grantees of federal funds, regardless of the type of entity or the amount of money awarded, must certify that they will not discriminate against any person on the grounds of race, color, religion, sex, national origin, age or disability, in any program or activity funded in whole or in part by federal financial assistance. In addition, grantees meeting certain funding and agency-specific criteria are required to develop and file an Equal Employment Opportunity Plan (EEO). The completed "*Certification of Compliance with Regulations*" form must be submitted with the application **or prior to contracting**. Additional civil rights compliance and reporting requirements will be addressed with grantees upon award of the grant.
- The Anti-Lobbying Act of 18 U.S. Code § 1913 prohibits the use of Federal funds for "grassroots" campaigns that encourage third parties, members of special interest groups or the general public to contact members of Congress or of a State or local legislative or an official of any government in support of or in opposition to a legislative, policy or appropriations matter. It applies to activities both before and after the introduction of legislation.
- It is the responsibility of the sub recipient to report alleged Fraud, Waste, or Abuse including any alleged violations, serious irregularities, sensitive issues or overt or covert acts involving the use of public funds in a manner not consistent with federal statutes, related laws and regulations, appropriate guidelines or purposes of the grant. Reports should be made to the Office of the Massachusetts State Auditor, the Massachusetts Inspector General, or to the Office of the Inspector General for the U.S. Department of Transportation:

U.S. Department of Transportation
Office of the Inspector General
1200 New Jersey Ave., S.E., 7th Floor
Washington, DC 20590
202-366-1659
www.oig.dot.gov

Office of the Inspector General
John W. McCormack State Office Building
One Ashburton Place, Room 1311
Boston, MA 02108
800-322-1323
MA_OIG@maoig.net

Office of the State Auditor
Massachusetts State House, Room 230
Boston, MA 02133
617-727-2075
Auditor@SAO.state.ma.us

SUBMISSION OF APPLICATION

A qualified application packet must be based on the grant application form and all required attachments.

An original application form with attachments and one complete copy must be received by mail or hand-delivery at EOPSS/HSD. Faxed and electronic responses will **NOT** be accepted. Departments will be notified of their award decision as contracts are approved. This is a rolling enrollment, so applications will be accepted anytime during the grant year but no later than July 19, 2013.

Please direct application packets to:

Deb Firlit
Highway Safety Division
10 Park Plaza
Boston, MA 02116

EOPSS/HSD High-Visibility Traffic Enforcement Grant Awards will be based on the following criteria:

1. Eligibility based on traffic and crime data
2. Completed application
3. Prior EOPSS/HSD Grant Performance
4. Safety Belt Policy

Incomplete responses or unsigned applications may be disqualified, though EOPSS does reserve the right to work with departments to obtain missing or incomplete information.

Questions regarding this AGF and the Traffic Enforcement Grant should be directed to Deb Firlit at 617.725.3356 or Deborah.Firlit@state.ma.us.

This AGF as well as the APPLICATION are available at www.state.ma/highwaysafety look for the link under FFY 2013-2017 Traffic Enforcement Grant Program.

Updated 11/12